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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/859,481	05/18/2001	Yasuo Komada	35.G1781 DIV. 1	6635
5514	7590	08/27/2003		
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			EXAMINER	
			WALLERSON, MARK E	
			ART UNIT	PAPER NUMBER
			2626	
DATE MAILED: 08/27/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No. <b>09/859,481</b>	Applicant(s) <b>Kamoda</b>
Examiner <b>Mark Wallerson</b>	Art Unit <b>2622</b>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1)  Responsive to communication(s) filed on Jun 4, 2003

2a)  This action is FINAL. 2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

4)  Claim(s) 32-42 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 32-42 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.

12)  The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some\* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a)  The translation of the foreign language provisional application has been received.

15)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

1)  Notice of References Cited (PTO-892) 4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

2)  Notice of Draftsperson's Patent Drawing Review (PTO-948) 5)  Notice of Informal Patent Application (PTO-152)

3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6)  Other: \_\_\_\_\_

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### **Part III DETAILED ACTION**

#### *Notice to Applicant(s)*

1. This action is responsive to the following communications: amendment filed on 6/4/2003.
  
2. This application has been reconsidered. Claims 32-42 are pending.

#### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 32, 33, 34, 35, 36, 37, 38, 41 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miura (U. S. 4,649,403) in view of Makino et al (U. S. 4,825,405).

With respect to claims 32, 34, 35, 36, 38, 41, and 42 Miura discloses input means (2) for inputting image data; a printer (figure 2) which prints an image on a recording medium based in input image data (column 1, lines 33-43); size detection means for detecting a size of the inputted image data (column 1, lines 33-53 and column 14, lines 38-46); manual feeding means for receiving and feeding manually-loaded recording medium of various sizes (column 1, lines 8-15 and 33-58); means for determining based on the size of the image, a recording medium size appropriate for recording the inputted image (column 1, lines 33-58), and display means for

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displaying, when feeding is to be done by manual means, the recording material size (column 1, lines 16-26; column 43, lines 20-24, and column 45, line 66 to column 46, line 2), the display means not displaying the recording material size when feeding is not to be performed by manual means (column 43, lines 28-34 displays the paper sizes of the cassettes, not the size of the determined recording material), and a memory (20) which stores the input image data.

Miura differs from claims 32, 34, 35, 36, 41 and 42 in that he does not clearly disclose a controller which controls the memory so as to hold the image data after completion of a printing operation performed based on a feeding operation by the manual feeding unit.

Makino discloses a printer comprising a controller (34) which controls a memory so as to hold the image data after completion of a printing operation performed (column 2, lines 49-54) based on a feeding operation by a manual feeding unit (17). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Miura to include a controller which controls the memory so as to hold the image data after completion of a printing operation performed based on a feeding operation by the manual feeding unit. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified by the teaching of Makino in order to be able to repeatedly print out the data stored in the memory when plural copies of a document are needed.

With respect to claims 33 and 37, Miura discloses a network (figure 1).

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5. Claims 39 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miura in view of Makino as applied to claim above, and further in view of Futaki (U. S. 4,734,760).

With respect to claims 39 and 40, Miura as modified differs from claims 39 and 40 in that he does not clearly disclose erasing the stored image data when the printing operation is performed. Futaki discloses erasing the stored image data when the printing operation is performed/completed (column 7, lines 1-3). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Miura as modified wherein the stored image data is erased when the printing operation is performed/completed. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Miura as modified by the teaching of Futaki in order to free up the memory to receive new/additional data.

***Response to Arguments***

6. Applicant's arguments with respect to claims 32-35 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

7. All claims are rejected.

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8. Applicant's amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark Wallerson whose telephone number is (703) 305-8581.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, DC 20231

or faxed to:

(703) 872-9314 (for formal communications intended for entry)

(for informal or draft communications, such as proposed amendments to be discussed at an interview; please label such communications "PROPOSED" or "DRAFT")

or hand-carried to:

Crystal Park Two

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2121 Crystal Drive  
Arlington, VA.  
Sixth Floor (Receptionist)

MARK WALLERSON  
PRIMARY EXAMINER

Mark Wallerson